

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,
8 Plaintiff,

9 -vs-

10 LORENZO GONZALEZ-BERBER,
11 Defendant.

NO. CR-06-2128-WFN-1

ORDER

12
13 Pending before the Court is Defendant's Motion to Dismiss, filed November 2, 2006
14 (Ct. Rec. 30) by defense counsel Alex Hernandez, III. Assistant United States Attorney
15 Donald Kresse filed the Government's Response November 2, 2006 (Ct. Rec. 34) indicating
16 the Government takes no position.

17 The Court has reviewed the file and pending Motion and is fully informed.
18 Accordingly,

19 **IT IS ORDERED** that:

20 1. Defendant's Motion to Dismiss, filed November 2, 2006, **Ct. Rec. 30**, is
21 **GRANTED**.

22 2. The Indictment filed August 16, 2006, **Ct. Rec. 14**, is **DISMISSED with**
23 **prejudice**.

24 3. All remaining hearings currently scheduled in this matter are **STRICKEN**.

25 The District Court Executive is directed to file this Order and provide copies to counsel
26 **AND TO** the Yakima United States Probation Office.

DATED this 9th day of November, 2006.

s/ Wm. Fremming Nielsen
WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE

11-09